

**Sixty-fourth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 6, 2015**

HOUSE BILL NO. 1134  
(Judiciary Committee)  
(At the request of the Commission on Uniform State Laws)

AN ACT to amend and reenact section 41-04.1-08 of the North Dakota Century Code, relating to funds transfers under the Uniform Commercial Code; and to declare an emergency.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 41-04.1-08 of the North Dakota Century Code is amended and reenacted as follows:

**41-04.1-08. (4A-108) ~~Exclusion of consumer transactions governed by federal law~~Relationship to Electronic Fund Transfer Act.**

1. ~~This~~Except as provided in subsection 2, this chapter does not apply to a funds transfer any part of which is governed by the Electronic Fund Transfer Act of 1978 [Title XX, Pub. L. 95-630; 92 Stat. 3728; 15 U.S.C. 1693 et seq.] ~~as amended from time to time.~~
2. This chapter applies to a funds transfer that is a remittance transfer as defined in the Electronic Fund Transfer Act [15 U.S.C. 1693o-1], unless the remittance transfer is an electronic fund transfer as defined in the Electronic Fund Transfer Act [15 U.S.C. 1693a].
3. In a funds transfer to which this chapter applies, in the event of an inconsistency between an applicable provision of this chapter and an applicable provision of the Electronic Fund Transfer Act, the provision of the Electronic Fund Transfer Act governs to the extent of the inconsistency.

**SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.

Bill Dahl  
Speaker of the House

Dick Dever  
President of the Senate

Bull J. Reich  
Chief Clerk of the House

Joe Schabert  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1134 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 89 Nays 0 Absent 5

Bill Dahl  
Speaker of the House

Bull J. Reich  
Chief Clerk of the House

This certifies that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 47 Nays 0 Absent 0

Dick Dever  
President of the Senate

Joe Schabert  
Secretary of the Senate

Received by the Governor at 9:13 A.M. on March 24, 2015.

Approved at 2:27 P.M. on March 25, 2015.

Jack Doherty  
Governor

Filed in this office this 25<sup>th</sup> day of March, 2015,  
at 3:45 o'clock P M.

Kevin Dwyer  
Secretary of State